

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
MACK BUTLER, DASHAUN SIMS, CLYDE LOFTON,
PAUL ALVER, KEVIN KING, and RICKEY LYNCH,
on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

11-cv-02602 (JS) (GRB)

SUFFOLK COUNTY, VINCENT F. DEMARCO, in his
individual and official capacity, JOSEPH T. CARACAPPA,
in his individual and official capacity, and JOHN P.
MEYERRICKS, in his individual and official capacity,

Defendants.

-----X
DECLARATION OF CLYDE LOFTON

CLYDE LOFTON, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as
follows:

1. I am currently detained in the Yaphank Correctional Facility (“Yaphank”) of the
Suffolk County Correctional Facilities, at 69 Yaphank Avenue, Yaphank, New York. I have
been detained here since September 2011. The statements in this declaration are based on my
personal knowledge.

2. The conditions at Yaphank are horrible. For example, the toilets and the showers
overflow, the facilities are covered with mold and rust, it is very cold, water leaks from the roof,
the drinking water is unsafe and the food is unsanitary. Exposure to the conditions at Yaphank
has caused me to suffer intestinal illnesses, skin conditions, respiratory infections, fungal
infections, nose bleeds, headaches, blurred vision, and dizziness.

3. Inmates often complain of these conditions at Yaphank, but the Corrections Officers ignore us or respond to us with hostility.

4. To the best of my knowledge, inmates are routinely denied opportunities to grieve the conditions described in the Complaint. Specifically, Yaphank Corrections Officers often refuse to give inmates grievance forms. I personally have been refused grievance forms.

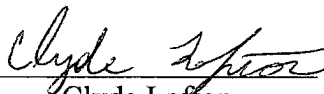
5. Typically, when I ask for a grievance form from an Officer he asks me what my grievance is about. Once I identify that it is about the horrible conditions at the facility, the officer will tell me not to grieve and will refuse to give me a grievance form. Sometimes, the Officer will tell me not file a grievance, because another inmate has already filed a grievance related to the same condition.

6. When I do manage to get a grievance form from an Officer and file it, the Officers tell me that they are aware of the problem and assure me that they are “looking into it.” In almost every instance, the Officers act like the grievance has been accepted and that the condition complained of will be handled. Often this is the last I hear about the grievance I filed.

7. Officers regularly retaliate against inmates who attempt to file grievance forms. I have personally witnessed Corrections Officers threatening inmates who inquire about grievance forms. I have also witnessed different forms of retaliations against those who attempt to grieve including: “shakedowns” of living quarters, verbal abuse, refusal of grievance forms, limiting access to the law library, cutting off or limiting recreational time, and turning up the air conditioning in winter to punish the inmates.

8. While I, and, to the best of my knowledge, other inmates have tried to grieve the horrible conditions at Yaphank, the conditions have not improved.

I declare under penalty of perjury that the foregoing is true and correct. Executed this
25 day of October 2012.


Clyde Loffon